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PATENT
04107-P0001A GSW/SBS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Marc Sacco, et al.
Application No. 10/768,340	Filing Date: January 30, 2004
Title of Application:	Binding Adjustment System
Confirmation No. 6968	Art Unit: 3618
Examiner	Kelly E. Campbell

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Response to Election/Restriction

This is a response to the outstanding Office Action dated November 16, 2005.

Applicant hereby elects the invention of Group II, Figures 6-10, claims 1 – 47, for prosecution in this case. Applicant traverses the Examiner's restriction as the disclosed species in Groups I, II and III are not patentably distinct. For example, while Figures 7-10 illustrate the binding plate in greater detail than as shown in Figures 3-5, the same invention is simply shown attached to a snowboard in use. For example, Figure 5 illustrates the riders foot turned in the forward position, while Figure 6 illustrates the foot positioning for riding.

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In addition, Figure 11 is simply and exploded view of the device shown in Figures 7-10, while Figure 12 is a detail of a portion of Figure 9 and Figure 13 is a detail of a portion of Figure 8A. Applicant therefore respectfully submits that these cannot be patentably distinct species.

Applicant believes that no fee is due in connection with the filing of this Amendment. However, if any fee is due please charge Deposit Account No. 19-4516.

Respectfully submitted,



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